



Agenda Item Number: _____

BERNALILLO COUNTY BOARD OF COUNTY COMMISSIONERS

Meeting Date: February 23, 2010

Department: Zoning, Building, Planning **Staff Contact:** Adella Gallegos, Assoc. Program Planner

TITLE: APPEAL: Special Use Permit for a Technical Operation (transfer station) and Office (CO-20100006/CSU-90035)

COUNTY PLANNING COMMISSION RECOMMENDATION:

Approval

SUMMARY:

At the February 3, 2010 public hearing, the County Planning Commission voted (6-1, Commissioner Melendrez opposed) to recommend approval of the request for a Special Use Permit for a Technical Operation (transfer station) and Office on a tract of land located at the SE ¼ NE ¼ NE ¼ & the NE ¼ NE ¼ NE ¼ of Section 30, T9N R2E, located approximately .75 miles from the Escarpment Road & Pajarito Road intersection, zoned A-1, and containing approximately 20 acres. The decision was based on six (6) Findings and subject to twelve (12) Conditions. (See Attachment 1-Notice of Decision).

The County Planning Commission (CPC) found that the request for a Special Use Permit for a Technical Operation (Transfer Station) and office is justified by changed neighborhood conditions by the recent approval of the expansion of the existing landfill that surrounds the site, the Pajarito Mesa Water System Improvement Project and South Valley Drinking Water Project, Phase 3, Reservoir and Transmission Line.

The appellant is appealing the following Conditions as recommended by the CPC:

6-Landscaping for the Special Use Permit shall meet the standards outline in the Zoning Ordinance:

a. A twenty foot landscape setback along the interior roadway.

#9-There shall be no open storage. All storage of recyclables and waste materials shall be in containers.

10-The Special Use Permit shall be issued for twenty (20) years.

The appellants justification for the appeal is addressed in Attachment 1.

The criteria for considering zone map changes and special use permit applications require that the applicant demonstrate that the existing zoning is inappropriate because (1) there was an error when the existing zone map pattern was created, or (2) changed neighborhood or community conditions justify the land use change, or (3) a different land use category is more advantageous to the community, as articulated in the Comprehensive Plan or other land use plan adopted by the Board of County Commissioners even though (1) or (2) do not apply.

ATTACHMENTS:

1. Appeal Application Dated February 5, 2010
2. County Planning Commission Notice of Decision Letter (February 3, 2010)
3. County Planning Commission Information Packet
4. Draft CPC Minutes, February 3, 2010
5. Site Plan Dated December 14, 2009 (Commissioners Only)

STAFF ANALYSIS SUMMARY**ZONING, BUILDING & PLANNING:**

Staff recommends denial of appeal

VERSION 5.0